

USSN: 09/736,858

Ref. No. 030116 (formerly 6295.N)

REMARKS

Applicants would like to thank the Examiner for indicating that claims 1-14, 16, 17, 22-25, 30-36 and 38-46 and 67 are allowed. After entry of the present amendment, claims 1-14, 16, 17, 22-25, 30-36 and 38-67 will be pending in the present application. Claim 46 has been amended to delete compounds that were duplicative of compounds recited in claim 65. Claim 47 has been amended to correct minor typographical errors. Accordingly, the scope of claim 47 has not changed and it is entitled to the same scope of protection. The amendments to claims are fully supported by the application as filed. Accordingly, applicants respectfully request entry of this amendment into the application.

In view of the amendments and following remarks, applicants respectfully request reconsideration and withdrawal of the rejections and objections set forth in the Office Action.

Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Applicants thank the Examiner for withdrawing the indefiniteness rejections state in the previous Office Action. In the present Office Action, claims 47-64 and 66 were "rejected under 35 U.S.C. 112, second paragraph, as being indefinite[.]" Specifically, claim 47 was rejected because "the amendment to the structure of the B ring where the nitrogen atom is double bonded to the sulfur atom does not satisfy the valence of the ring[.]" Applicants would like to thank the Examiner for recognizing this error and have amended claim 47 to satisfy the valence of the sulfur atom in the ring as shown in the corresponding examples, for example as set forth in Examples 8-24, 29, 30, 33 and 34 which correspond to the compounds recited in claim 65. One skilled in the art will recognize that in an equivalent to the structure showing the stereochemical configuration of the B ring, the positive charges on the sulfur and the negative charges on the nitrogen and oxygen atoms will balance each other to form a double bond between the sulfur and nitrogen atom and a double bond between the sulfur and oxygen atom.

Claims 47-64 and 66 were also rejected because "it is not known what is meant by the period which follows a semi-colon. It is not known what else is intended." Applicants have deleted the semi-colon in claim 47 preceding the period, obviating this

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ground for rejection. In light of the amendments and remarks, applicants respectfully request the Examiner withdraw this rejection.

Claim Objection


Claim 65 was "objected to as being dependent upon a rejected base claim[.]" Applicants have amended the rejected base claim, claim 47, to overcome all rejections. Therefore, applicants respectfully request the Examiner withdraw this objection.

CONCLUSION

In view of the above remarks and amendments, applicants respectfully submit that this application is in condition for allowance and earnestly solicit notice to that effect. The Examiner is invited to contact the undersigned at the telephone number provided below if the Examiner believes such would be helpful in advancing the application to issue.

Respectfully submitted,

Dated: 12-14-04


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